

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

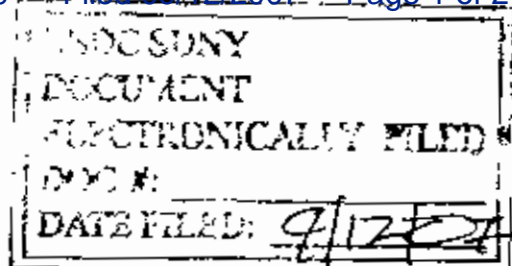
----- x
THE ESTATE OF HARRY MCCLINTOCK,

Plaintiff,

- v -

CRISPIN PORTER + BOGUSKY

Defendant
----- x



Civil Action No. 07-Civ-³³⁵⁹~~1502~~

Case Management Plan

- A. Date and Place of Conference: September 12, 2007 at the United States Courthouse, 500 Pearl Street, New York, New York 10007, in Courtroom #21A at 11:00 a.m.
- B. After consultation with counsel for all parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26 of the Federal Rules of Civil Procedure.

The case is to be tried by a jury.

Yes X No _____

Counsel consent to trial by a U.S. Magistrate Judge.

Yes _____ No X

- C. Joinder of additional parties must be accomplished by December 1, 2007.
- D. Amended pleadings may be filed without leave of court until December 1, 2007.
- E. Discovery:

1. Production of Documents. First request for production of documents, if any, must be served by October 1, 2007. Further document requests may be served as required, but no document request may be served later than 30 days prior to the date of the close of discovery as set forth in item 6 below.
2. Interrogatories. First interrogatories pursuant to Rule 33.3(a) of the Local Civil Rules of the Southern District of New York, if any, may be served by October 1, 2007. Further interrogatories pursuant to Rule 33.3(a) of the Local Civil Rules of the Southern District of New York may be served as required, but no interrogatory may be served later than 30 days prior to the date of the close of discovery as set forth in item 5f below. No other interrogatories are permitted except upon prior express permission of the Court.

3. Experts. Every party-proponent of a claim (including any counterclaim, cross-claim, or third-party claim) that intends to offer affirmative expert testimony in respect of any claim or defense must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by December 11, 2007. Every party that intends to offer rebuttal expert testimony in respect of any claim or defense must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by January 11, 2008. No expert testimony will be permitted by other experts or beyond the scope of the opinions covered by the aforesaid disclosures except upon prior express permission of the Court. All experts may be deposed, but such depositions must occur within the time limit for all depositions set forth below.
4. Depositions. All depositions (including any expert depositions, see item 3 above) must be completed by January 31, 2008. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents. Depositions shall proceed concurrently, with no party having priority, and no deposition shall extend beyond one business day without prior leave of the Court. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
5. Requests to Admit. Requests to Admit, if any, must be served by December 31, 2007.
6. All discovery is to be completed by January 31, 2008. Interim deadlines for items 1-5 above may be extended by the parties on consent without application to the Court, provided the parties are certain they can still meet the discovery completion date set forth in this paragraph, which shall not be adjourned except upon a showing to the Court of extraordinary circumstances.

F. Dispositive Motions. All motions and applications shall be governed by the Court's Individual Rules of Practice, which requires a pre-motion conference prior to any dispositive motion being filed. To the extent any party wishes to file a dispositive motion, it must notify the Court by February 14, 2008. The Court will confirm the parties' briefing schedule at the pre-motion conference. After the papers are fully submitted, the parties will be informed whether oral arguments are required.

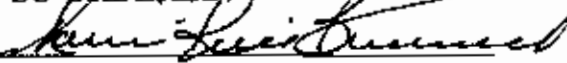
G. Trial.

1. The requirements for the pre-trial order and other pre-trial submissions shall be governed by the Court's Individual Rules of Practice.
2. The parties will be required to submit a joint pretrial order at least two weeks in advance of the trial date.

H. *The parties shall report to the Court on their progress and the*
~~NEXT CASE MANAGEMENT CONFERENCE~~
Status of the case every sixty (60) days (To be completed by the Court)

DATED: New York, New York
 September 12, 2007

SO ORDERED:


 Hon. Naomi Reice Buchwald
 United States District Judge